

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

Robert Alan Shumway, M.D.

Case No. 800-2016-019734

**Physician's and Surgeon's
Certificate No. G 75694**

Respondent

DECISION

The attached Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 28, 2018.

IT IS SO ORDERED February 26, 2018.

MEDICAL BOARD OF CALIFORNIA

By: 

**Kristina D. Lawson, J.D., Chair
Panel B**

1 XAVIER BECERRA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 JASON J. AHN
Deputy Attorney General
4 State Bar No. 253172
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

9
10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. 8002016019734

14 **ROBERT ALAN SHUMWAY, M.D.**
15 **9834 Genesee Ave., Ste. 225**
La Jolla, CA 92037

OAH No. 2017061342

16 **Physician's and Surgeon's Certificate No.**
17 **G75694**

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR
PUBLIC REPRIMAND

18 Respondent.

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
23 of California. She brought this action solely in her official capacity and is represented in this
24 matter by Xavier Becerra, Attorney General of the State of California, and by Jason J. Ahn,
25 Deputy Attorney General.

26 2. Respondent Robert Alan Shumway, M.D., (Respondent) is represented in this
27 proceeding by attorney Robert W. Frank, Esq., whose address is: 110 West A Street, Suite 1200,
28 San Diego, California, 92101.

3. On or about December 7, 1992, the Medical Board of California issued Physician's and Surgeon's Certificate No. G75694 to Robert Alan Shumway, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2016-019734, and will expire on August 31, 2018, unless renewed.

JURISDICTION

4. On or about June 5, 2017, Accusation No. 800-2016-019734 was filed before the Medical Board of California (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 5, 2017. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A true and correct copy of Accusation No. 800-2016-019734 is attached hereto as Exhibit A and incorporated herein by reference as if fully set forth herein.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with his counsel, and fully understands the charges and allegations in Accusation No. 800-2016-019734. Respondent has also carefully read, fully discussed with his counsel, and fully understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws, having been fully advised of same by her attorney of record, Robert W. Frank, Esq.

8. Having the benefit of counsel, Respondent hereby voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 hereto. Respondent further agrees that should this Stipulated Settlement and Disciplinary Order
2 be rejected for any reason by the Board, Respondent will assert no claim that the Board, or any
3 member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this
4 Stipulated Settlement and Disciplinary Order or of any matter or matters related hereto.

5 **ADDITIONAL PROVISIONS**

6 13. This Stipulated Settlement and Disciplinary Order is intended by the parties herein
7 to be an integrated writing representing the complete, final and exclusive embodiment of the
8 agreements of the parties in the above-entitled matter.

9 14. The parties agree that copies of this Stipulated Settlement and Disciplinary Order,
10 including copies of the signatures of the parties, may be used in lieu of original documents and
11 signatures and, further, that such copies shall have the same force and effect as originals.

12 15. In consideration of the foregoing admissions and stipulations, the parties agree the
13 Board may, without further notice to or opportunity to be heard by Respondent, issue and enter
14 the following Disciplinary Order:

15 **DISCIPLINARY ORDER**

16 1. **PUBLIC REPRIMAND.**

17 IT IS HEREBY ORDERED that Respondent Robert Alan Shumway, M.D., holder of
18 Physician's and Surgeon's Certificate No. G75694, shall be and hereby is Publicly Reprimanded
19 pursuant to Business and Professions Code section 2227. This Public Reprimand, which is issued
20 in connection with the allegation as set forth in Accusation No. 800-2016-019734, is as follows:

21 Respondent disseminated, and/or caused to be disseminated, and/or allowed to
22 be disseminated, false and/or misleading advertising on his website, regarding his
23 board certifications.

24 2. **COMMUNITY SERVICE HOURS.**

25 Within sixty (60) calendar days of the effective date of this Decision, Respondent shall
26 submit to the Board or its designee for prior approval a community service plan in which
27 Respondent shall, within six (6) months of effective date of this order, provide forty (40) hours
28 of free, non-medical to a community or non-profit organization. Prior to engaging in any

community service. Respondent shall provide a true copy of the Decision(s) to the chief of staff, director, office manager, program manager, officer, or the chief executive officer at every community or non-profit organization where Respondent provides community service and shall submit proof of compliance to the Board or its designee within fifteen (15) calendar days. This condition shall also apply to any change(s) in community service. Community service performed prior to the effective date of the Decision shall not be accepted in fulfillment of this condition.

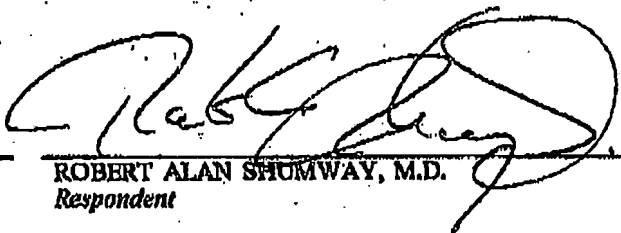
3. EDUCATION COURSE

Within sixty (60) calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) which shall not be less than forty (40) hours, to be completed within six (6) months of effective date of this order. The educational program(s) or course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified. The educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure. Following the completion of each course, the Board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide proof of attendance for sixty-five (65) hours of CME of which 40 hours were in satisfaction of this condition.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Reprimand and have fully discussed it with my attorney, Robert W. Frank, Esq. I fully understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. G75694. I enter into this Stipulated Settlement and Disciplinary Order for Public Reprimand voluntarily, knowingly, and intelligently, and fully agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 12-27-17


ROBERT ALAN SHUMWAY, M.D.
Respondent

1 I have read and fully discussed with Respondent Robert Alan Shumway, M.D., the terms
2 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
3 Order for Public Reprimand. I approve its form and content.

4 DATED: 10-27-17

5 ROBERT F. FRANK, ESQ.
6 Attorney for Respondent

7 ENDORSEMENT

8 The foregoing Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby
9 respectfully submitted for consideration by the Medical Board of California.

10 Dated:

Respectfully submitted,

11 XAVIER BECERRA
12 Attorney General of California
13 MATTHEW M. DAVIS
14 Supervising Deputy Attorney General

15 JASON J. AHN
16 Deputy Attorney General
17 Attorneys for Complainant
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1 I have read and fully discussed with Respondent Robert Alan Shumway, M.D., the terms
2 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
3 Order for Public Reprimand. I approve its form and content.

4 DATED: _____

5 ROBERT F. FRANK, ESQ.
6 *Attorney for Respondent*

7 **ENDORSEMENT**

8 The foregoing Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby
9 respectfully submitted for consideration by the Medical Board of California.

10 Dated: December 28, 2017

Respectfully submitted,

11 XAVIER BECERRA
12 Attorney General of California
13 MATTHEW M. DAVIS
Supervising Deputy Attorney General

14 

15 JASON J. AHN
16 Deputy Attorney General
17 *Attorneys for Complainant*
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Exhibit A

Accusation No. 800-2016-019734

1 XAVIER BECERRA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 JASON J. AHN
Deputy Attorney General
4 State Bar No. 253172
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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO June 5 2017
BY Robin Fitzwater ANALYST

10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. 8002016019734

14 **Robert Alan Shumway, M.D.**
15 **9834 Genesee Ave., Ste. 225**
La Jolla, CA 92037

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. G 75694,**

18 Respondent.

19
20 Complainant alleges:

21 **PARTIES**

22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
23 capacity as the Executive Director of the Medical Board of California, Department of Consumer
24 Affairs (Board).

25 2. On or about December 7, 1992, the Medical Board issued Physician's and Surgeon's
26 Certificate Number G75694 to Robert Alan Shumway, M.D. (Respondent). The Physician's and
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
28 herein and will expire on August 31, 2018, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2227 of the Code states, in pertinent part:

“(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the division, may, in accordance with the provisions of this chapter:

“(1) Have his or her license revoked upon order of the board.

“(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

“(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

“(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

“(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

“...”

5. Section 2234 of the Code, states:

“The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

“..

“(b) Gross negligence.

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1 “(c) Repeated negligent acts. To be repeated, there must be two or more
2 negligent acts or omissions. An initial negligent act or omission followed by a
3 separate and distinct departure from the applicable standard of care shall constitute
4 repeated negligent acts.

5 “(1) An initial negligent diagnosis followed by an act or omission medically
6 appropriate for that negligent diagnosis of the patient shall constitute a single
7 negligent act.

8 “(2) When the standard of care requires a change in the diagnosis, act, or
9 omission that constitutes the negligent act described in paragraph (1), including, but
10 not limited to, a reevaluation of the diagnosis or a change in treatment, and the
11 licensee's conduct departs from the applicable standard of care, each departure
12 constitutes a separate and distinct breach of the standard of care.

13 “...”

14 6. Section 651 of the Code states in pertinent part:

15 “(a) It is unlawful for any person licensed under this division or under any
16 initiative act referred to in this division to disseminate or cause to be disseminated any
17 form of public communication containing a false, fraudulent, misleading, or deceptive
18 statement, claim, or image for the purpose of or likely to induce, directly or indirectly,
19 the rendering of professional services or furnishing of products in connection with the
20 professional practice or business for which he or she is licensed. A ‘public
21 communication’ as used in this section includes, but is not limited to, communication
22 by means of mail, television, radio, motion picture, newspaper, book, list or directory
23 of healing arts practitioners, Internet, or other electronic communication.

24 “(b) A false, fraudulent, misleading, or deceptive statement, claim, or image
25 includes a statement or claim that does any of the following:

26 “(1) Contains a misrepresentation of fact.

27 “(2) Is likely to mislead or deceive because of a failure to disclose
28 material facts.

1 “...

2 “(5) Contains other representations or implications that in reasonable
3 probability will cause an ordinarily prudent person to misunderstand or be deceived.

4 “(6) Makes a claim either of professional superiority or of performing
5 services in a superior manner, unless that claim is relevant to the service being
6 performed and can be substantiated with objective scientific evidence.

7 “(7) Makes a scientific claim that cannot be substantiated by reliable, peer
8 reviewed, published scientific studies.

9 “(8) Includes any statement, endorsement, or testimonial that is likely to
10 mislead or deceive because of a failure to disclose material facts.

11 “...

12 “(e) Any person so licensed may not use any professional card, professional
13 announcement card, office sign, letterhead, telephone directory listing, medical list,
14 medical directory listing, or a similar professional notice or device if it includes a
15 statement or claim that is false, fraudulent, misleading, or deceptive within the
16 meaning of subdivision (b).

17 “(f) Any person so licensed who violates this section is guilty of a
18 misdemeanor. A bona fide mistake of fact shall be a defense to this subdivision, but
19 only to this subdivision.

20 “(g) Any violation of this section by a person so licensed shall constitute
21 good cause for revocation or suspension of his or her license or other disciplinary
22 action.

23 “...

24 “(C) A physician and surgeon licensed under Chapter 5 (commencing with
25 Section 2000) by the Medical Board of California may include a statement that he or
26 she limits his or her practice to specific fields, but shall not include a statement that
27 he or she is certified or eligible for certification by a private or public board or parent
28 association, including, but not limited to, a multidisciplinary board or association,

1 unless that board or association is (i) an American Board of Medical Specialties
2 member board, (ii) a board or association with equivalent requirements approved by
3 that physician and surgeon's licensing board, or (iii) a board or association with an
4 Accreditation Council for Graduate Medical Education approved postgraduate
5 training program that provides complete training in that specialty or subspecialty. A
6 physician and surgeon licensed under Chapter 5 (commencing with Section 2000) by
7 the Medical Board of California who is certified by an organization other than a board
8 or association referred to in clause (i), (ii), or (iii) shall not use the term 'board
9 certified' in reference to that certification, unless the physician and surgeon is also
10 licensed under Chapter 4 (commencing with Section 1600) and the use of the term
11 'board certified' in reference to that certification is in accordance with subparagraph
12 (A). A physician and surgeon licensed under Chapter 5 (commencing with Section
13 2000) by the Medical Board of California who is certified by a board or association
14 referred to in clause (i), (ii), or (iii) shall not use the term 'board certified' unless the
15 full name of the certifying board is also used and given comparable prominence with
16 the term "board certified" in the statement.

17 "For purposes of this subparagraph, a 'multidisciplinary board or
18 association's means an educational certifying body that has a psychometrically valid
19 testing process, as determined by the Medical Board of California, for certifying
20 medical doctors and other health care professionals that is based on the applicant's
21 education, training, and experience.

22 "For purposes of the term 'board certified,' as used in this subparagraph, the
23 terms 'board' and 'association' mean an organization that is an American Board of
24 Medical Specialties member board, an organization with equivalent requirements
25 approved by a physician and surgeon's licensing board, or an organization with an
26 Accreditation Council for Graduate Medical Education approved postgraduate
27 training program that provides complete training in a specialty or subspecialty.

28 "The Medical Board of California shall adopt regulations to establish and

1 collect a reasonable fee from each board or association applying for recognition
2 pursuant to this subparagraph. The fee shall not exceed the cost of administering this
3 subparagraph. Notwithstanding Section 2 of Chapter 1660 of the Statutes of 1990,
4 this subparagraph shall become operative July 1, 1993. However, an administrative
5 agency or accrediting organization may take any action contemplated by this
6 subparagraph relating to the establishment or approval of specialist requirements on
7 and after January 1, 1991.

8 7. Unprofessional conduct under Business and Professions Code section 2234 is
9 conduct which breaches the rules or ethical code of the medical profession, or conduct
10 which is unbecoming a member in good standing of the medical profession, and which
11 demonstrates an unfitness to practice medicine. (*Shea v. Board of Medical Examiners*
12 (1978) 81 Cal.App.3d 564, 575.)

13 **FIRST CAUSE FOR DISCIPLINE**

14 (Gross Negligence)

15 8. Respondent has subjected his Physician's and Surgeon's Certificate No.
16 G75694 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
17 subdivision (b), of the Code, in that respondent committed gross negligence, as more particularly
18 alleged hereinafter:

19 (a) Paragraph 12, below, is hereby incorporated by reference and realleged as if fully set
20 forth herein.

21 (b) Respondent disseminated, and/or caused to be disseminated, and/or allowed to be
22 disseminated, false and/or misleading advertising on his website, regarding his board
23 certifications.

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1 **Patient S.T.**

2 9. Respondent has further subjected his Physician's and Surgeon's Certificate No.
3 G75694 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
4 subdivision (b), of the Code, in that respondent committed gross negligence in his care and
5 treatment of patient S.T., as more particularly alleged hereinafter:

6 (a) On or about April 30, 2015, patient S.T. consulted Respondent about improving the
7 scarring around her areola, undergoing an abdominoplasty, and liposuction of her torso.

8 (b) Patient S.T. received the following fee quotes \$7,150.00 for breast lift with areolar
9 reduction (reduced to \$6,500.00 if paid in cash); \$9,900.00 for a "Full Abdominoplasty" (reduced
10 to \$9,000.00 if paid in cash); and \$14,500.00 for both of the above procedures at the same
11 surgical setting. Patient S.T. did not schedule any surgery at that time.

12 (c) On or about July 30, 2015, Respondent's officer manager, C.J., e-mailed patient S.T.,
13 informing her that Respondent had an "empty day" the following week, and that if patient S.T.
14 was willing to schedule, she could receive a significant discount. Patient S.T. was initially
15 offered a discounted price of \$13,000.00. When patient S.T. asserted that she could not afford it,
16 the price was ultimately reduced to \$11,000.00. Patient S.T. was told to appear for her pre-
17 operation evaluation on August 3, 2015 and to bring a cashier's check for \$11,000.00.

18 (d) On or about August, 3, 2015, patient S.T. presented to Respondent's office. Patient
19 S.T. completed several consent forms, a "realistic expectations form," and acknowledgment of
20 post-operative instructions and care requirements. Patient S.T. also signed a document
21 acknowledging her smoking history and warning of increased risk of complications if she
22 smoked. Dr. S.R., Respondent's fellow, examined patient S.T. and wrote notes in the medical
23 record. Patient S.T.'s consent included a "Benelli Mastopexy with areolar reduction, lipo to
24 axilla" and a "Fully Tummy Tuck."

25 (e) On or about August 5, 2015, patient S.T. returned to Respondent for her surgery. The
26 surgery was performed under deep sedation using propofol, ketamine, and midazolam, as well as
27 tumescent local anesthesia. The surgery involved liposuction of the axillary area, flanks, and
28 anterior abdomen, removing 2,025 ml of fat solute. In addition, a portion of the subumbilical skin

1 and fat were removed, and plication of the rectus fascia was performed from the level of the
2 umbilicus to the mons pubis. The areolar diameter was reduced and the circumareolar scar was
3 excised. The periareolar incision was then closed. A small ellipse of skin was removed from
4 each axilla. Respondent used surgical staples to close the abdominal incision on patient S.T.

5 (f) Patient S.T. was seen post-operatively, with examination notes written by Dr. S.R.,
6 until September 25, 2015.

7 (g) Respondent committed gross negligence in his care and treatment of patient S.T.,
8 which included, but was not limited to, the following:

9 (1) Respondent failed to perform the agreed upon, and paid-for, procedure,
10 Abdominoplasty, on patient S.T.;

11 (2) Respondent failed to perform the agreed upon, and paid-for procedure, Benelli
12 Mastopexy, on patient S.T.;

13 (3) Respondent failed to adequately advise patient S.T. of the risks of wound healing
14 problems caused by and/or associated with patient S.T.'s failure to stop smoking completely or at
15 least to refrain from smoking for three (3) to four (4) weeks before and after surgery; and

16 (4) Respondent used propofol on patient S.T. for deep sedation, without adequate
17 advanced airway training.

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SECOND CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

10. Respondent has further subjected his Physician's and Surgeon's Certificate No. G75694 to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (c), of the Code, in that he committed repeated negligent acts, as more particularly alleged hereinafter:

(a) Paragraphs 8 and 9 above, and paragraph 12, below, are incorporated by reference and realleged as if fully set forth herein.

(b) Respondent committed repeated negligent acts which included, but were not limited to, the following:

(1) Respondent failed to perform the agreed upon, and paid-for, procedure, Abdominoplasty, on patient S.T.;

(2) Respondent failed to perform the agreed upon, and paid-for procedure, Benelli Mastopexy, on patient S.T.;

(3) Respondent failed to adequately advise patient S.T. of the risks of wound healing problems caused by and/or associated with patient S.T.'s failure to stop smoking completely or at least to refrain from smoking for three (3) to four (4) weeks before and after surgery;

(4) Respondent used propofol on patient S.T. for deep sedation, without adequate advanced airway training;

(5) Respondent used surgical staples to close the abdominal incision on patient S.T.; and

(6) Respondent disseminated, and/or caused to be disseminated, and/or allowed to be disseminated, false and/or misleading advertising on his website, regarding his board certifications.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 (Dissemination of False, Fraudulent, Misleading or Deceptive Statements, Claims or Images)

3 11. Respondent has further subjected his Physician's and Surgeon's Certificate No.
4 G75694 to disciplinary action under section 651 of the Code, in that he has caused to be
5 disseminated public communications, namely by advertisements and/or statements on his internet
6 website, containing false, fraudulent, misleading or deceptive statements, claims or images for the
7 purpose of or likely to induce, directly or indirectly, the rendering of professional services or
8 furnishing of products in connection with the professional practice or business for which he is
9 licensed, as more particularly alleged hereinafter:

10 12. Between April 30, 2015 and March 31, 2017, inclusive, on one or more occasions,
11 Respondent's website stated that Respondent "has achieve[d] six medical board certifications."
12 The website further stated that Respondent is a diplomate of the American Board of Facial
13 Cosmetic Surgery, the American Board of Laser Surgery, and the American Board of Cosmetic
14 Surgery; none of these three boards are included among the American Board of Medical
15 Specialties (ABMS) member boards, or American Osteopathic Association (AOA) member
16 boards, or a non-ABMS / non-AOA board that has been deemed "equivalent" in scope, breadth,
17 and duration to an ABMS / AOA board.

18 **FOURTH CAUSE FOR DISCIPLINE**

19 (General Unprofessional Conduct)

20 13. Respondent has further subjected his Physician's and Surgeon's Certificate No.
21 G75694 to disciplinary action under sections 2227 and 2234 of the Code, in that he has engaged
22 in conduct which breaches the rules or ethical code of the medical profession, or conduct which is
23 unbecoming to a member in good standing of the medical profession, and which demonstrates an
24 unfitness to practice medicine, as more particularly alleged in paragraphs 8 through 12, above,
25 which are hereby incorporated by reference as if fully set forth herein.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number G75694, issued to Robert Alan Shumway, M.D.;

2. Revoking, suspending or denying approval of Robert Alan Shumway, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code, and advanced practice nurses;

3. Ordering Robert Alan Shumway, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED: June 5, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant